GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Water Resources Department Allegation of Corruption against Sri Nellepalle Giri Babu, S/o N. Kalaiah, Assistant Executive Engineer, Irrigation, Yerravaripalem Section & Mandal, Chittoor District , R/o 1-241, Vinayaka Nagar, Penumuru Mandal, Chittoor District – Trapped on 22.12.2015- Sanction of Prosecution order under the Prevention of Corruption Act – Orders – Issued.

WATER RESOURCES [VIG.I] DEPARTMENT

G.O.MS.No. 33 Dated: 09-05-2017

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ORDER:-

Whereas, Sri Nellepalle Giri Babu, S/o N. Kalaiah, Assistant Executive Engineer, Irrigation, Yerravaripalem Section & Mandal, Chittoor District worked from 27.11.2014 to 22.12.2015 and by virtue of the post possessed by him, he falls under the category of public servant as defined under section 2 (c) of the Prevention of Corruption Act, 1988 (Act 49 of 1988)

2. And whereas, it is alleged that Sri Badaganapalle Murali Mohan, resident of D.No.2-72/2, Chintakunta Village, Yerravaripalem Mandal, Chittoor District, and presented a report on 21.12.2015 at 11-00 A.M. to the DSP, Anti Corruption Bureau, Tirupathi, by stating that he was living by cultivation and that he was one of the members of Janma Bhoomi Committee in Chinthakunta Village of Yerravaripalem Mandal along with four nominated member. Further he has stated that the work was allotted to him by the Collector in Janma Bhoomi for desiltation of feeder channels feeding Sankrathigutta to Pakeervani Cheruvu of Chintagunta Village of Yerravaripalem Mandal which was executed by him for an amount of Rs.1,07,000/- in the month of July. After that the recommended work was sent Sri Giri Babu, Irrigation, Assistant Executive Engineer through MPDO, Yerravaripalem Mandal. On 02.08.2015 Sri Nellepalle Giri Babu, Assistant Executive Engineer, called him to his office regarding the work and executed an agreement on Rs.100/- stamp paper and gave a work order. According to the orders of Asst. Executive Engineer Sri N. Giri Babu, he has started the work in the month of August,2015. After that he intimated to Sri N. Giri Babu, Assistant Executive Engineer, upon that, he stated that for check measuring the work, recording the work and sending the M. Book to higher officials, he demanded Rs. 21,000/- as a bribe. As Sri B. Murali Mohan was not willing to pay the bribe amount, he came out. Again, after one week, he once again met Sri N. Giri Babu regarding his work, where upon Sri N.Giri Babu threatened that he would reject the work unless if Sri B. Murali Mohan fails to pay the bribe amount. He expressed his willingness to pay Rs.15,000/- for which, the bribe amount was reduced at the request of the complainant by Sri Giri Babu. Having no other go, he accepted to pay the demanded bribe amount. But unwilling to pay the bribe amount Sri B. Murali Mohan gave a report to the D.S.P., Anti Corruption Bureau, Tirupathi.

3. The D.S.P., Anti Corruption Bureau Tirupathi, registered a case in Cr.No.20/RCT-TPT/2015 U/s 7 of P.C. Act, 1988 on the strength of the report of Sri B. Murali Mohan on 22.12.2015 at about 7.00 A.M. After full filling all the legal formalities against Sri N. Giri Babu and took up further investigation.

4. And whereas, it is further alleged that Sri Nellepalle Giri Babu, Assistant Executive Engineer, was trapped on 22.12.2015 at about 11.20 hrs during the trap laid at the Bus stop located infront of S.V. Music College, Balaji Colony Junction, Tirupati, Chittoor District. Sri Nellepalle Giri Babu, Assistant Executive Engineer further demanded bribe as a reward for check measuring work of de-silting of feeder channels feeding Sankrathigutta to Pakeervani cheruvu of Chintagunta village of Yerravaripalem Mandal, executed by the complainant for an amount of Rs.1,07,000/- and also no to harass the complainant in check measuring future works to be done. On the date of trap Sri N. Giri Babu, Assistant Executive Engineer asked Sri B. Murali Mohan whether he has brought the demanded bribe amount of Rs.15,000/- for doing an official favour. Then, on getting positive reply from him,

Sri N. Giri Babu asked him to give the bribe amount of Rs.15,000/-. Then Sri B. Murali Mohan gave the bribe amount with his right hand which was received by Sri N. Giri Babu, Assistant Executive Engineer with his right hand and kept the same in his trouser's right side front pocket. After that Sri N. Giri Babu assured him that he would take care of his works to be done in the future. On the instructions of the D.S.P., Sri N. Giri Babu, Assistant Executive Engineer produced the bribe amount from his right side front pants pocket. Then the mediators compared the numbers of the currency notes with the numbers noted down in the Pre-trap proceedings and the same were tallied. The D.S.P., Anti Corruption Bureau,Tirupati Range, Tirupati seized the tainted amount of Rs.15,000/- and also seized the material objects along with the relevant records connected to it.

5. And whereas, the above acts of Sri Nellepalle Giri Babu, Assistant Executive Engineer, Irrigation, Yerravaripalem Section & Mandal, Chittoor District constitute the offences punishable under sections 7 & 13 (2) read with section 13 (1) (d) of the Prevention of Corruption Act, 1988 (Act 49 of 1988).

6. And whereas, the Government of Andhra Pradesh, being the competent authority to remove the said Sri Nellepalle Giri Babu from service after fully and carefully examining the oral, documentary and material evidence, i.e., copies of F.I.R, M.R-1, M.R.II, statements of witnesses and relevant documents placed before them and having regard to the facts and circumstances of the case, consider that the said Sri Nellepalle Giri Babu, should be prosecuted in a competent court of law for the aforesaid offences.

7. Now, therefore, in exercise of the powers conferred by clause (b) of sub-section (1) of section 19 of the Prevention of Corruption Act, 1988 (Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for the prosecution of the above said Sri Nellepalle Giri Babu, S/o N. Kalaiah, age 37 years, Assistant Executive Engineer, Irrigation, Yerravaripalem Section & Mandal, Chittoor District for the above said offences punishable under section 7 and sub section (2) of Section 13 read with Clause (d) of sub-section (1) of section 13 of the Prevention of Corruption Act, 1988 (Act 49 of 1988) and for any other cognate offences punishable under any other provisions of Law for the time being in force in respect of the aforesaid acts and for taking cognizance of the said offences by a court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(SHASHI BHUSHAN KUMAR)
SECRETARY TO GOVERNMENT

To
The Director General, Anti-Corruption Bureau,
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A.P. Vijayawada
Copy to: The Law (A) Dept.,
The Secretary, A.P. Vigilance Commission,
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Sc/Sf.